

employed by such air carrier or foreign air carrier to sell tickets to passengers, a sign located so as to be clearly visible and clearly readable to the traveling public, which shall have printed thereon the following statement in boldface type at least one-fourth of an inch high:

NOTICE—OVERBOOKING OF FLIGHTS

Airline flights may be overbooked, and there is a slight chance that a seat will not be available on a flight for which a person has a confirmed reservation. If the flight is overbooked, no one will be denied a seat until airline personnel first ask for volunteers willing to give up their reservation in exchange for compensation of the airline's choosing. If there are not enough volunteers, the airline will deny boarding to other persons in accordance with its particular boarding priority. With few exceptions, including failure to comply with the carrier's check-in deadline (carrier shall insert either "of — minutes prior to each flight segment" or "(which are available upon request from the air carrier)" here), persons denied boarding involuntarily are entitled to compensation. The complete rules for the payment of compensation and each airline's boarding priorities are available at all airport ticket counters and boarding locations. Some airlines do not apply these consumer protections to travel from some foreign countries, although other consumer protections may be available. Check with your airline or your travel agent.

(b) Every carrier shall include with each ticket sold in the United States the notices set forth in paragraph (a) of this section, printed in at least 12-point type. The notice may be printed on a separate piece of paper, on the ticket stock, or on the ticket envelope. The last two sentences of the notice shall be printed in a type face contrasting with that of the rest of the notice.

(c) It shall be the responsibility of each carrier to ensure that travel agents authorized to sell air transportation for that carrier comply with the notice provisions of paragraphs (a) and (b) of this section.

(d) [Reserved]

(e) Any air carrier or foreign air carrier engaged in foreign air transportation that complies fully with this part for inbound traffic to the United States need not use the last two sen-

tences of the notices required by paragraph (a) of this subsection.

(Approved by the Office of Management and Budget under control number 3024-0018)

[ER-1306, 47 FR 52985, Nov. 24, 1982, as amended by ER-1392, 49 FR 40401, Oct. 16, 1984; Doc. No. OST-01-9325, 73 FR 21035, Apr. 18, 2008]

PART 251—CARRIAGE OF MUSICAL INSTRUMENTS

Sec.

251.1 Definitions.

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AUTHORITY: 49 U.S.C. 41724.

SOURCE: 80 FR 166, Jan. 5, 2015, unless otherwise noted.

§ 251.1 Definitions.

As used in this part:

Certificated air carrier means a U.S. carrier holding a certificate issued under 49 U.S.C. 41102 to conduct passenger service or holding an exemption to conduct passenger operations under 49 U.S.C. 40109.

Commuter air carrier means a U.S. carrier that has been found fit under 49 U.S.C. 41738 and is authorized to carry passengers on at least five round trips per week on at least one route between two or more points according to a published flight schedule using small aircraft as defined in 14 CFR 298.2.

Covered carrier means a certificated carrier, a commuter carrier, an air taxi, or a U.S. indirect carrier operating to, from, or within the United States, conducting scheduled passenger service or public charter service.

Indirect carrier means a person not directly involved in the operation of an aircraft who sells air transportation services to the general public other than as an authorized agent of a carrier.

[80 FR 166, Jan. 5, 2015, as amended by Doc. No. DOT-OST-2014-0140, 84 FR 15932, Apr. 16, 2019]

§ 251.2 Applicability.

This part applies to U.S. certificated air carriers, U.S. commuter air carriers, air taxis, and U.S. indirect carriers that operate passenger service to, from, or within the United States.

§ 251.3 Small musical instruments as carry-on baggage.

Each covered carrier shall permit a passenger to carry a violin, guitar, or other small musical instrument in the aircraft cabin, without charging the passenger a fee in addition to any standard fee that carrier may require for comparable carry-on baggage, if:

(a) The instrument can be stowed safely in a suitable baggage compartment in the aircraft cabin or under a passenger seat, in accordance with the requirements for carriage of carry-on baggage or cargo established by the FAA; and

(b) There is space for such stowage at the time the passenger boards the aircraft.

§ 251.4 Large musical instruments as carry-on baggage.

Each covered carrier shall permit a passenger to carry a musical instrument that is too large to meet the requirements of § 251.3 in the aircraft cabin, without charging the passenger a fee in addition to the cost of an additional ticket described in paragraph (e) of this section, if:

(a) The instrument is contained in a case or covered so as to avoid injury to other passengers;

(b) The weight of the instrument, including the case or covering, does not exceed 165 pounds or the applicable weight restrictions for the aircraft;

(c) The instrument can be stowed in accordance with the requirements for carriage of carry-on baggage or cargo established by the FAA;

(d) Neither the instrument nor the case contains any object not otherwise permitted to be carried in an aircraft cabin because of a law or regulation of the United States; and

(e) The passenger wishing to carry the instrument in the aircraft cabin has purchased an additional seat to accommodate the instrument.

§ 251.5 Large musical instruments as checked baggage.

Each covered carrier shall transport as baggage a musical instrument that is the property of a passenger traveling in air transportation that may not be carried in the aircraft cabin if

(a) The sum of the length, width, and height measured in inches of the outside linear dimensions of the instrument (including the case) does not exceed 150 inches or the applicable size restrictions for the aircraft;

(b) The weight of the instrument does not exceed 165 pounds or the applicable weight restrictions for the aircraft; and

(c) The instrument can be stowed in accordance with the requirements for carriage of carry-on baggage or cargo established by the FAA.

PART 252—SMOKING ABOARD AIRCRAFT

Sec.

252.1 Purpose.

252.2 Applicability.

252.3 Definitions.

252.4 Smoking ban: air carriers.

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252.8 Extent of smoking restrictions.

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252.11 Aircraft on the ground.

252.17 Enforcement.

AUTHORITY: Pub. L. 101-164; 49 U.S.C. 40102, 40109, 40113, 41701, 41702, 41706 as amended by section 708 of Pub. L. 106-181 and section 401 of Pub. L. 112-95, 41711, and 46301.

CROSS REFERENCE: For smoking rules of the Federal Aviation Administration, see 14 CFR 121.317(c), 121.571(a)(1)(i), 129.29, 135.117(a)(1), and 135.127(a).

SOURCE: Docket No. DOT-OST-2000-7473, 65 FR 36775, June 9, 2000, unless otherwise noted.

§ 252.1 Purpose.

This part implements a ban on smoking as defined in § 252.3, including the use of electronic cigarettes and certain other devices, on flights by air carriers and foreign air carriers.

[Docket DOT-OST-2011-0044, 81 FR 11427, Mar. 4, 2016]

§ 252.2 Applicability.

This part applies to operations of air carriers engaged in interstate, intrastate and foreign air transportation